

MESSAGE NO: 9289112 MESSAGE DATE: 10/16/1998

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9274112
MESSAGE #
(s):

CASE #(s): C-428-207, C-428-208, C-428-209

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1997 TO 12/31/1997

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CORRECTION OF LIQUIDATION INSTRUCTIONS FOR CERTAIN CARBON STEEL
PRODUCTS FROM GERMANY FOR THE PERIOD 01/01/1997 THROUGH 12/31/1997 (C-428-
207/208/209)

MESSAGE NO: 9289112

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CASES: C - 428 - 207

C - 428 - 208

C - 428 - 209

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- -

PERIOD COVERED: 01 01 1997 TO 12 31 1997

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: CORRECTION OF LIQUIDATION INSTRUCTIONS FOR CERTAIN CARBON
STEEL PRODUCTS FROM GERMANY FOR THE PERIOD 01/01/1997
THROUGH 12/31/1997 (C-428-207/208/209)

THIS IS A CORRECTION TO PARAGRAPH 3 OF EMAIL #9274112 DATE 10/1/98

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDERS ON
CERTAIN CARBON STEEL PRODUCTS FROM GERMANY (C-428-207)
(C-428-208) AND (C-428-209). ENTRIES MADE BY GERMAN
PRODUCERS/EXPORTERS OTHER THAN DILLINGER MAY NOW BE
LIQUIDATED. ENTRIES MADE BY DILLINGER REMAIN ENJOINED

BECAUSE THIS FIRM IS INVOLVED IN ONGOING LITIGATION OF ISSUES CONCERNING PRIVITIZATION.

2. MERCHANDISE COVERED BY THE COUNTERVAILING DUTY ORDER ON COLD-ROLLED CARBON STEEL FLAT PRODUCTS (C-428-207) INCLUDE CARBON STEEL FLAT-ROLLED PRODUCTS, OF RECTANGULAR SHAPE, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, IN COILS (WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS) AND OF A WIDTH OF 0.5 INCH OR GREATER, OR IN STRAIGHT LENGTHS WHICH, IF OF A THICKNESS LESS THAN 4.75 MILLIMETERS, ARE OF A WIDTH OF 0.5 INCH OR GREATER AND WHICH MEASURES AT LEAST 10 TIMES THE THICKNESS OR IF OF A THICKNESS OF 4.75 MILLIMETERS OR MORE ARE OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS.

MERCHANDISE COVERED BY THE COUNTERVAILING DUTY ORDER ON CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS (C-428-208) INCLUDE FLAT-ROLLED CARBON STEEL PRODUCTS, OF RECTANGULAR SHAPE, EITHER CLAD, PLATED, OR COATED WITH CORROSION-RESISTANT METALS SUCH AS ZINC, ALUMINUM, OR ZINC-, ALUMINUM-, NICKEL- OR IRON-BASED ALLOYS, WHETHER OR NOT CORRUGATED OR PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES IN ADDITION TO THE METALLIC COATING, IN COILS, WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS) AND OF A WIDTH OF 0.5 INCH OR GREATER, OR IN STRAIGHT LENGTHS WHICH, IF OF A THICKNESS LESS THAN 4.75 MILLIMETERS, ARE OF A WIDTH OF 0.5 INCH OR GREATER AND WHICH MEASURES AT LEAST 10 TIMES THE THICKNESS OR IF OF A THICKNESS OF 4.75 MILLIMETERS OR MORE ARE OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS. INCLUDED IN THIS ORDER ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN WORKED AFTER ROLLING) - FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES.

EXCLUDED FROM THIS ORDER ARE FLAT-ROLLED STEEL PRODUCTS EITHER PLATED OR COATED WITH TIN, LEAD, CHROMIUM, CHROMIUM OXIDES, BOTH TIN AND LEAD ("TERNE PLATE"), OR BOTH CHROMIUM AND CHROMIUM OXIDES ("TIN FREE STEEL"), WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES IN ADDITION TO THE METALLIC COATING. ALSO EXCLUDED FROM THIS ORDER ARE CLAD PRODUCTS IN STRAIGHT LENGTHS OF 0.1875 INCH OR MORE IN COMPOSITE THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS. ALSO EXCLUDED ARE CERTAIN CLAD STAINLESS FLAT-ROLLED PRODUCTS, WHICH ARE THREE-LAYERED CORROSION-RESISTANT CARBON STEEL FLAT-ROLLED PRODUCTS LESS THAN 4.75 MILLIMETERS IN COMPOSITE THICKNESS THAT CONSIST OF A CARBON STEEL FLAT-ROLLED PRODUCT CLAD ON BOTH SIDES WITH STAINLESS STEEL IN A 20-60-20 PERCENT RATIO.

THE COUNTERVAILING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE (C-428-209) COVERS HOT-ROLLED CARBON STEEL UNIVERSAL MILL PLATES (I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH EXCEEDING 150 MILLIMETERS BUT NOT EXCEEDING 1,250 MILLIMETERS AND OF A THICKNESS OF NOT LESS THAN 4 MILLIMETERS, NOT IN COILS AND WITHOUT PATTERNS IN RELIEF), OF RECTANGULAR SHAPE, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES; AND CERTAIN HOT-ROLLED CARBON STEEL FLAT-ROLLED PRODUCTS IN STRAIGHT LENGTHS, OF RECTANGULAR SHAPES, HOT ROLLED, NEITHER CLAD, PLATED, NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, 4.75 MILLIMETER OR MORE IN THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS. INCLUDED IN THIS ORDER ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN WORKED AFTER ROLLING) - FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE

Message Date: 10/16/1998 Message Number: 9289112 Page 4 of 7

EDGES. EXCLUDED IS GRADE X-70 PLATE.

3. THEREFORE, IN ACCORDANCE WITH SECTION 355.22(G) AND 351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE PRODUCED/EXPORTED BY COMPANIES OTHER THAN DILLINGER WHICH WAS EXPORTED ON OR AFTER JANUARY 1, 1997 AND ON OR BEFORE DECEMBER 31, 1997.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

C-428-207 GERMAN COLD-ROLLED CARBON STEEL FLAT PRODUCTS

1/1/97 - 12/31/97 0.85 PERCENT

C-428-208 GERMAN CORROSION-RESISTANT CARBON STEEL PLATE

1/1/97 - 12/31/97 0.60 PERCENT

C-428-209-001 GERMAN CUT-TO-LENGTH CARBON STEEL PLATE

PRODUCED/EXPORTED BY ILSENBURG

1/1/97 - 12/31/97 0.80 PERCENT

C-428-209-002 GERMAN CUT-TO-LENGTH CARBON STEEL PLATE

PRODUCED/EXPORTED BY PREUSSAG

1/1/97 - 12/31/97 1.72 PERCENT

C-428-209-000 GERMAN CUT-TO-LENGTH CARBON STEEL PLATE

PRODUCED/EXPORTED BY OTHER COMPANIES

1/1/97 - 12/31/97 14.84 PERCENT

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE PRODUCED/EXPORTED BY COMPANIES OTHER THAN DILLINGER OF GERMANY WHICH WERE EXPORTED ON OR AFTER JANUARY 1, 1997 AND ON OR BEFORE DECEMBER 31, 1997 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER DECEMBER 31, 1997

WILL CONTINUE.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRY SUMMARIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST THE OFFICE OF CVD/AD ENFORCEMENT VI, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-2786.
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party